

FILED**JAN 19 2010****SECRETARY, BOARD OF
OIL, GAS & MINING**

JIM R. SCARTH, Bar #2870
Kane County Attorney
WILLIAM L. BERNARD, Bar #9464
Deputy Kane County Attorney
76 North Main Street
Kanab, Utah 84741
TELEPHONE:(435) 644-5278
FACSIMILE: (435) 644-8156

**BEFORE THE BOARD OF OIL, GAS AND MINING,
DEPARTMENT OF NATURAL RESOURCES,
STATE OF UTAH**

**UTAH CHAPTER OF THE SIERRA
CLUB, et al,**

Petitioners,

v.

**UTAH DIVISION OF OIL, GAS, &
MINING,**

Respondents,

**ALTON COAL DEVELOPMENT, LLC
and KANE COUNTY,**

Respondents/Intervenors.

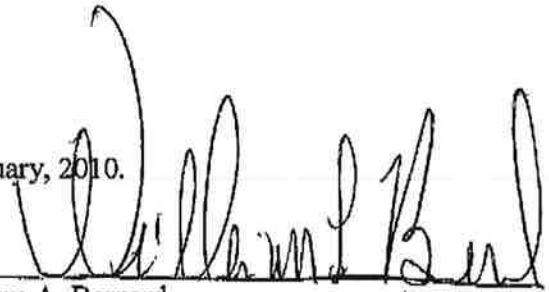
**KANE COUNTY'S JOINDER IN
ALTON COAL LLC'S MOTIONS AND
MEMORANDA FOR SUMMARY
JUDGMENT**

Docket No. 2009-019

Cause No. C/025/0005

Kane County hereby adopts the objections, reasoning, positions and arguments set forth in Respondent Alton Coal Development, LLC's Motion and Memorandum in Support of Partial Summary Judgment dated as of January 15, 2010 and Motion and Memorandum for Partial Summary Judgment – Baseline Hydrologic Data dated January 15, 2010.

Respectfully submitted this 15th day of January, 2010.

A handwritten signature in black ink, appearing to read 'William A. Bernard', written over a horizontal line.

William A. Bernard
Attorney for Kane County

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **KANE COUNTY'S JOINDER IN ALTON COAL LLC'S MOTIONS AND MEMORANDA FOR SUMMARY JUDGMENT** was sent via U.S. Mail, postage prepaid, this 15 day of January, 2010, to the following:

Steven F. Alder, Esq.
Frederick J. Donaldson, Esq.
Utah Attorney General's Office
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116
Attorneys for the Utah Division of
Oil, Gas & Mining

Michael S. Johnson, Esq.
Stephen Schwendiman, Esq.
Utah Attorney General's Office
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116
Attorneys for the Utah Board of Oil,
Gas & Mining

William Bernard, Esq.
Kane County Attorney
78 North Main Street
Kanab, UT 84741

Stephen Bloch, Esq.
Tiffany Bartz, Esq.
Southern Utah Wilderness Alliance
425 East 100 South
Salt Lake City, UT 84111

Walton Morris, Esq.
Morris Law Office, P.C.
1901 Pheasant Lane
Charlottesville, VA 22901

Sharon Buccino, Esq.
Natural Resources Defense Council
1200 New York Ave., NW, Suite 400
Washington, D.C. 20005

